

with respect to oil are a few OPEC countries in the Middle East whose ministers sit around a big table and talk about production and price.

In addition to that, you now have behemoth oil companies that have the capability to exercise much more impact on market prices and supply. In addition to that, you have futures markets which are supposed to provide liquidity but which now are playgrounds for speculators. You have speculators. You have bigger oil companies. You have the OPEC countries. And we have free marketers talking about a free market? What are they smoking? There is no free market here.

What is happening is the American consumer is being taken advantage of. They are paying extraordinarily high prices for gasoline. While people go to the gas pump and put 15 gallons of gas in their tank, and pay \$50 for it, and people this winter will have a 70-percent increase in natural gas prices for heating their home, we have some of the largest corporations in this country profiting in an unusual, unwarranted way.

I say simply this: If these oil companies are using those profits to find more oil, that is one thing. If they are not—and they are not; to wit, the article from *BusinessWeek*—then, in my judgment, some of that excess or windfall profit ought to be recaptured and sent back to consumers.

Let me say, my State produces oil. So I have some people in my State who are a little cranky about what I proposed. I do not aim to hurt the oil industry. If, in fact, there was a free market I would not be here. But it is also true that consumers in my State are bearing the pain.

Let me describe my consumers in North Dakota. We drive exactly twice as much per person as New Yorkers do. We use twice as much gasoline per person than the average New Yorker. Why is that the case? Well, in New York, if they are going to see an aunt or an uncle in New Jersey, it is a big trip. You pack an emergency kit. You go get your car serviced. You talk about it for several months and then drive 40 miles to see the relatives. That is a big deal out East.

Not in the Midwest, not in the northern Great Plains. Forty miles is nothing. People drive 200 miles one way for a meeting, and then drive 200 miles back in the same day. That is why in our part of the country, in a State such as North Dakota that is 10 times the size of the State of Massachusetts in land mass with 640,000 people spread out over that land mass—we drive twice as much as New Yorkers.

What does that mean? Well, when the price of gasoline doubles, it hurts us twice as much as it does those in States where they do not use gasoline as much as we do.

So I recognize the oil industry would like to keep all this going: \$3, \$3.50 a gallon. By the way, this all started before there was any hurricane. I saw on

the news last night a sophisticated news report about all this, and it was linking the price of oil to the hurricanes. The fact is, the price of oil was up over \$30 a barrel above last year's price—at which point you had record profits in the industry—long before Hurricane Katrina. So this is not about hurricanes.

The question is, will Congress care? Will Congress do something about it? We spend a lot of time on things that do not have much of an impact on the American people. I wonder if for a moment we can spend some time on something that does. There is a tendency around here to treat serious things way too lightly, and then to treat light things way too seriously. This is a serious issue. A whole lot of folks cannot afford to pay this. They cannot pay the cost of \$3-a-gallon gasoline or have a 70-percent increase in natural gas prices or have a 40-percent increase in the price of home heating fuel to keep warm in the winter.

The question is, does Congress care? Does the Senate care? We will have people come here in blue suits saying: This is a free market. This is not a free market. Again, if this were a free market, I would not be on the floor talking about it. This is a market with clogged arteries, clogged in a manner that is horribly unfair to the average American, and clogged in a way that provides handsome profits, unparalleled profits, to the oil industry.

But let me say, once again, lest others misrepresent what we are proposing, if that industry is using these profits to find oil in the ground, or above ground on refineries to process oil, they would not be affected by a windfall profits tax. But if they are not—and they are not, in most cases—then they would bear the burden of a recapture of a portion of these windfall or excess profits, and they would be sent back to the consumers in this country, as a matter of basic fairness.

Mr. President, I yield the floor.

#### HONORING OUR ARMED FORCES

PRIVATE STAFF SERGEANT TRICIA LYNN JAMESON

Mr. NELSON of Nebraska. Madam President, I rise today to honor SSG Tricia Lynn Jameson of Omaha, NE.

SSG Tricia Lynn Jameson was a dedicated soldier serving in the National Guard for over 11 years. Originally born in Aurora, NE, she and her family moved to Omaha where Jameson became a 1989 graduate of Millard South High School. Jameson began her military career on July 11, 1994, joining the Army National Guard as a medic.

Staff Sergeant Jameson was the epitome of a selfless individual, always giving a hand to others. During a mission to the Treybul border crossing on the Iraqi-Jordan border on July 14, 2005, an improvised explosive device off the side of the road struck the M997 ambulance that she commanded. Staff Sergeant Jameson bravely lost her life in this

attack, but she died as she lived, helping others no matter the risk to herself, as she was on her way to assist injured marines who had been wounded by an earlier device. Wanting to make a difference, Staff Sergeant Jameson was a volunteer in the 313th Medical Company, GA, in support of Operation Iraqi Freedom. She was promoted to sergeant first class posthumously.

Giving her life to save others and to the cause of freedom, Staff Sergeant Jameson was the finest example of courage. She is survived by her mother, Patricia, and brother, Robert, among many other friends, family, and fellow soldiers. I offer my heartfelt prayers and thoughts to Staff Sergeant Jameson's family. She made the ultimate and most courageous sacrifice to spread freedom and hope and to defend liberty. She was a person of incredible altruism, and both Americans and Nebraskans alike will not forget what she gave to our great Nation.

SERGEANT JASON T. PALMERTON

Mr. President, I rise today to honor SGT Jason T. Palmerton of Auburn, NE.

Sergeant Jason Palmerton had a desire to selflessly give his all to his country. Born in Hamburg, IA, but growing up in Auburn, NE, he graduated from Auburn High School in 1998. After several years doing mechanical maintenance in Lincoln, Palmerton decided to enlist in July of 2002, requesting to be in the most rigorously trained Special Forces Group. Six weeks ago, after nearly 3 years of training, Sergeant Palmerton became a Green Beret and was deployed to Afghanistan with his 12-man team.

At the age of 25, Sergeant Palmerton died on July 23, 2005, after sustaining bullet wounds on dismounted patrol during his service in Operation Enduring Freedom in Qal'eh-Yegaz, Afghanistan. He was a member of the 1st Battalion, 3rd Special Forces Group based out of Fort Bragg, NC. All Americans should honor Sergeant Palmerton's courage and patriotism as he aimed to become a highly trained Green Beret from his first days in boot camp, knowing both the difficulty and risk associated with the achievement. For the past 6 weeks, he continued to serve bravely in the unstable and dangerous environment of southern Afghanistan.

Sergeant Palmerton left behind his fiancée, Shelley Austin, parents, and numerous other friends, family, and fellow soldiers. I offer my sincere condolences and prayers to Sergeant Palmerton's family. He gave his life to save and honor the liberties of America, and his passion to achieve this end will long be remembered.

SGT Jason Palmerton's sacrifice is the essence of the American freedom and he fought to save that freedom for all Nebraskans and Americans alike.

#### THE PROMOTION OF MARINE CORPS GENERAL PETE PACE

Mr. LEAHY. Mr. President, General Peter Pace will soon become the next